

SENATE No. 826

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the definition of surgery.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas P. Kennedy	Second Plymouth and Bristol
Michael Brady	9th Plymouth

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE DEFINITION OF SURGERY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended
2 by inserting the following new section :-

3 Section 6A: The Board shall have the authority to define the practice of surgery; provided further, that
4 surgery is limited to physicians licensed by the Board of Registration in medicine.

5 For the purposes of this chapter “surgery” shall be defined as structurally altering the human body by
6 the incision or destruction of tissues and is part of the practice of medicine. Surgery also is the diagnostic
7 or therapeutic treatment of conditions or disease processes by any instruments causing localized alteration
8 or transposition of live human tissue which include lasers, ultrasound, ionizing radiation, scalpels, probes,
9 and needles. The tissue can be cut, burned, vaporized, frozen, sutured, probed, or manipulated by closed
10 reductions for major dislocations or fractures, or otherwise altered by mechanical, thermal, light-based,
11 electromagnetic, or chemical means. Injection of diagnostic or therapeutic substances into body cavities,
12 internal organs, joints, sensory organs, and the central nervous system also is considered to be surgery
13 (this does not include the administration by nursing personnel of some injections, subcutaneous,
14 intramuscular, and intravenous, when ordered by a physician). All of these surgical procedures are
15 invasive, including those that are performed with lasers, and the risks of any surgical procedure are not
16 eliminated by using a light knife or laser in place of a metal knife, or scalpel.